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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,265	06/05/2000	NOBUYUKI TAKEO	106403	8008

25944 7590 01/05/2004

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EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 01/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/587,265

Applicant(s)

TAKEO ET AL.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-3 are presented for examination.

Drawings

2. The drawings are objected to because there are two figures 4 on pages $\frac{3}{4}$ and $\frac{4}{4}$. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: there is no Figure 6 in drawings, however, Figure 6 is mentioned on page 1, line 20 and page 2, line 3 of the specification.

Appropriate correction is required.

4. Claims 1-3 are objected to because of typo error. Examiner believes that "and and layer" of claim 2 on page 21, line 10 should be "and layer" and "display sate information" of claim 3 on page 21, line 22 should be "display state information". Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama et al., Patent No. 6,493,732 and further in view of Takakura et al., Patent No. 5,848,430.

7. As to claim 1, Aoyama et al. disclose a document editing apparatus for displaying on a screen a document comprising a content described in plural permeable layers by displaying the layers one on another on the screen, the apparatus comprising:

document editing means for generating a new layer and adding thereof to the document comprising layers displayed on the screen and for generating, when new layer is added, information of the layers displayed on the screen as at-add-time layer display state information (col. 4, lines 17-38, col. 8, line 64 – col. 9, line 10);

layer state managing means for managing the at-add-time layer display state information in correlation with the new added layer (col. 6, lines 19-36);

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display designation receiving means for receiving a display designation for specifying an arbitrary layer from a user (col. 10, lines 3-30); and

However, Aoyama et al. do not explicitly disclose document synthesis means for displaying a layer that has been set to be displayed on a screen based on display/non-display setting included in data of each layer; and layer state reproducing means for controlling the document synthesis means to display the layer that was displayed on the screen when the specified layer was added based on the at-add-time layer display state information in response to reception of the layer specification from the display designation receiving means. In the similar field of endeavor, Takakura et al. disclose a screen control command 6-12 in Fig. 6 designates the manner of the screen display, i.e., layer display, nonlayer display (col. 12, line 37 – col. 13, line 28). Takakura et al. also disclose the order of the fixed frame control data tables of the presently edited document page, which tables are developed in the main memory1-5, is changed (edit layer of the document), thus the moved fixed frame is re-displayed (col. 18, lines 49-67). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Takakura et al. and Aoyama et al. to include document synthesis means for displaying a layer that has been set to be displayed on a screen based on display/non-display setting included in data of each layer; and layer state reproducing means for controlling the document synthesis means to display the layer that was displayed on the screen when the specified layer was added based on the at-add-time layer display state information in response to reception

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of the layer specification from the display designation receiving means in order to make the system more efficient.

8. As to claim 2, Aoyama et al. and Takakura et al. (Aoyama-Takakura) disclose wherein the document editing apparatus comprises a client apparatus and a server apparatus connected to each other by way of a communication line, and wherein

the client apparatus comprises the document synthesis means, the document editing means, the display designation receiving means, and layer state reproducing means (Aoyama et al., Fig. 19), and

the server apparatus comprises the layer state managing means and document managing means for managing data of each layer (Takakura et al., col. 29, lines 25 – col. 29, line 50).

9. As to claim 3, Aoyama-Takakura wherein the client apparatus further comprises layer state temporarily storing means for temporarily storing at-add-time layer display state information of each of plural layers added by the document editing means, transmitting the temporarily stored at-add-time layer display state information to the layer state managing means when the added plural layer data pieces are transmitted to the document managing means and reflected on the document, and controlling the layer state managing means to manage it (Aoyama, col. 4, lines 17-38, col. 8, line 64 – col. 9, line 10).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703) 305-4639. The Examiner can normally be reached on Monday-Friday from 8:00 am to 6:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Joseph Feild, can be reached at (703) 305-9792.

The fax phone numbers for the organization where this application is assigned are as follows:


(703) 872-9306 (After Final Communications only)

(703) 872-9306 (Official Communications)

(703) 746-7240 (for Official Status Inquiries, Draft Communications only)

Inquiries of a general nature relating to the general status of this application or proceeding should be directed to the 2100 Group receptionist whose telephone number is (703) 305-3900.

Chau Nguyen
Patent Examiner
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JOSEPH H. FEILD
PRIMARY EXAMINER